

UNITED STATES DISTRICT COURT
for
EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

U.S.A. vs. Oliver Wendell Green

Docket No. 7:06-CR-102-1

Petition for Action on Supervised Release

COMES NOW Audra V. Basaldu, probation officer of the court, presenting a petition for modification of the Judgment and Commitment Order of Oliver Wendell Green, who, upon an earlier plea of guilty to Conspiracy to Defraud the Government with Respect to Claims in violation of 18 U.S.C. § 286, was sentenced by the Honorable James C. Dever III, U.S. District Judge, on August 8, 2007, to the custody of the Bureau of Prisons for a term of 16 months. It was further ordered that upon release from imprisonment the defendant be placed on supervised release for 36 months under the standard conditions adopted by the court and the following additional conditions:

1. The defendant shall participate as directed in a program approved by the probation office for the treatment of narcotic addiction, drug dependency, or alcohol dependency which will include urinalysis testing or other drug detection measures and may require residence or participation in a residential treatment facility.
2. The defendant shall abstain from the use of any alcoholic beverages, shall not associate with individuals consuming alcoholic beverages, shall not frequent business establishments whose primary product to the consumer is alcoholic beverages, and shall not use any medication containing alcohol without the permission of the probation office or a prescription from a licensed physician.
3. The defendant shall consent to a warrantless search by a United States Probation Officer or, at the request of the probation officer, any other law enforcement officer, of the defendant's person and premises, including any vehicle, to determine compliance with the conditions of this judgment.
4. While under supervision in the Eastern District of NC, the defendant shall participate in the DROPS Program and, in response to detected illegal drug use, shall be confined in the custody of the Bureau of Prisons for a period not to exceed 30 days of intermittent confinement, as arranged by the probation office, in the following increments: First Use - Two Days; Second Use - Five Days; Third Use - Ten Days.
5. The defendant shall cooperate in the collection of DNA as directed by the probation officer.

Oliver Wendell Green was released from custody on September 11, 2008, at which time the term of supervised release commenced. On March 22, 2010, the court modified the conditions of supervised release to include Remote Alcohol Monitoring for a period of 120 days and a curfew of 9 p.m. to 6 a.m.

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**RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE
AS FOLLOWS:**

The defendant is currently in default on his monetary obligations. Mr. Green agreed to make payments of \$50.00 a month beginning in October 2008. He is \$475.00 in arrears. We will continue our efforts to collect this arrearage. However, we do not believe that he will be able to pay for his electronic monitoring given his current financial situation. Therefore, we recommend that the court modify his conditions to remove his obligation to pay for the electronic monitoring.

PRAYING THAT THE COURT WILL ORDER that supervised release be modified as follows:

1. That the court will strike the order that the defendant shall pay all costs associated with remote alcohol monitoring services.

Except as herein modified, the judgment shall remain in full force and effect.

Reviewed and approved,


I declare under penalty of perjury that the foregoing is true and correct.

/s/ Robert K. Britt
Robert K. Britt
Senior U.S. Probation Officer

/s/ Audra V. Basaldu
Audra V. Basaldu
U.S. Probation Officer
310 Dick Street
Fayetteville, NC 28301-5730
Phone: (910) 483-8613
Executed On: August 5, 2010

ORDER OF COURT

Considered and ordered this 9 day of August, 2010, and ordered filed and made a part of the records in the above case.


James C. Dever III
U.S. District Judge